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POLICY ON CONSENSUAL RELATIONSHIPS

2021-2024

#### Our Commitment

##### The University of Chichester is committed to providing a positive and safe environment for all students and staff to study, live and work.

##### Where a personal relationship overlaps with a working relationship, this may give rise to an actual or perceived conflict of interest which compromises the integrity of the people involved and undermines the good running and reputation of the University.

##### This policy seeks:

###### to ensure the health, safety and welfare of all staff and students;

###### to **promote better understanding** of the difficult issues which may arise as a result of personal relationships between members of the University community;

###### to **assist staff and students** in addressing those issues and to access support where concerns arise; and

###### to **protect the integrity** of all students, staff members and the University itself from actual or perceived conflicts of interest.

#### Scope of this Policy

##### This policy applies to:

###### **all University** **staff**: all individuals employed or engaged by the University, whether paid or unpaid, to carry out work for the University. This includes (but is not limited to): University employees, managers, executives and board members, agency workers, temporary staff, contractors, volunteers and research staff; students undertaking paid or unpaid work for the University; and those who hold honorary appointments; and

###### **all students of the University**: any individual registered on any programme of study at the University, including summer/evening school or short courses, including (without limitation) students studying away from University premises as part of their course/programme.

##### This policy applies to personal relationships between staff members, between members of staff and students, or between students.

##### At different times, or concurrently, individuals could fall within or move between different relationship categorisations, such as a student who also works for the University as a member of staff. In such cases, the person should act in accordance with the requirements that apply to **both** staff and students.

##### Personal relationships might include a family relationship, an intimate relationship (for example, a sexual or romantic relationship (current or former)), or a business or commercial relationship (for example, where two people are involved in a (non-University) business together). This list is not exhaustive.

##### This policy covers all situations where a relationship might raise questions about conflict of interest, trust and/or confidentiality. Such conflicts could arise in relation to the following areas:

###### all aspects of teaching, learning and research;

###### all aspects of student welfare, including the pastoral support of students;

###### access to student services including financial assistance, accommodation and other services;

###### management and supervision of staff, including career progression and staff development;

###### allocation of financial and other resource by budget holders;

###### access to confidential information;

###### employment matters including career opportunities, placements, complaints and discipline; and

###### assignment of work and facilities to staff or students.

##### This list is not exhaustive.

##### This policy deals primarily with intimate relationships that are consensual. An intimate ‘relationship’ where consent is not present or where consent is undermined by, for example, coercion or an abuse of power, will not be tolerated and will be addressed by the University under its Policy on Sexual Misconduct and Sexual Assault or under its policies that address bullying and harassment.

##### **If you have suffered a sexual assault, sexual misconduct, or harassment, or if you have concerns about a person or a situation, please raise the matter with us.**

##### **If you are a student, please raise it with one of the Nurse Health Advisers, the Director of Students, Support and Information Services, or another available member of Student Support and Wellbeing.**

##### **If you are a member of staff, please raise it with the Chief Human Resources Officer or an HR Manager.**

#### Relationships between staff and students

##### The integrity of the academic relationship between staff and their students is of fundamental importance. All members of staff have a professional and ethical responsibility to protect the interests of students, to respect the trust involved in the staff/student relationship, and to accept the constraints and obligations inherent in that responsibility.

##### Personal relationships between staff and students are prohibited where a staff member has responsibility for, or involvement in, a student’s academic studies and/or personal welfare.

##### In other circumstances, personal relationships other than family relationships between staff and students are unlikely to be appropriate, but will be assessed on a case-by-case basis.

##### Staff must declare any personal relationship with a student that exists or arises while they are a member of staff, to include past relationships which might have, or be perceived to have, an impact on their work. Students are encouraged to declare such a relationship, or to take part in the declaration process.

##### The process for making a declaration is set out at section 5 below. Once declared, a conflict of interest management plan will be put in place.

##### When working with students, staff should:

###### maintain an appropriate physical and emotional distance;

###### perform their University duties in the best interests of the University without favour towards or bias against any individual student;

###### use a University email account, telephone, applications and internet access for electronic communications with students;

###### communicate with students in a professional manner at all times;

###### avoid communicating with students via personal accounts, e.g. personal telephone, email, or social media accounts, and avoid giving their personal mobile phone number to a student or asking students for their personal details;

###### refrain from contacting students outside of normal working hours;

###### refer students with support needs to a relevant University support service, limiting their own role in providing personal support to that for which they are trained and employed;

###### not seek personal information from a student except as relevant to a University process (e.g. medical information for mitigating circumstances, or personal circumstances information as part of an academic progress process or appropriate pastoral support);

###### where possible, ensure that meetings and discussions occur on campus; and

###### adhere to the same guidelines when participating in events, fieldwork, attending conferences and any other University activities whilst away from University campuses.

#### Relationships between members of staff

##### Relationships between members of staff are not prohibited. However, in order to prevent potential abuse of power or conflict of interest, whether perceived or real, staff must declare close personal or intimate relationships in either of the following situations:

###### where a relationship develops that may give rise to a real or perceived conflict of interest, exploitation, favouritism or bias (for example, between a member of staff and their line manager); or

###### where a relationship already exists, and a new situation arises that might give rise to a real or perceived conflict of interest, exploitation, favouritism or bias (for example, where two staff members in a relationship who work in different departments move to work in the same department).

##### The process for making a declaration is set out at section 5 below. Once declared, a conflict of interest management plan will be put in place.

##### In order to maintain appropriate relationships with colleagues and peers, and help reduce the risk of abuse of power or conflict of interest, staff should:

###### maintain an appropriate physical and emotional distance from other staff while working;

###### perform their University duties in the best interests of the University without favour towards, or bias against, any individual staff member;

###### use their University email account, telephone, applications and internet access for work-related communications with staff;

###### establish boundaries between professional and non-professional communication with colleagues;

###### refer colleagues with support needs to a relevant University support service, such as occupational health or our employee assistance programme and limit their role in providing personal support where this is not part of their employment duties; and

###### adhere to the same guidelines when participating in fieldwork, conferences and other University activities away from the University campus.

#### Declarations of personal relationships

##### All declarations are to be made as soon as reasonably practicable and always within one month of joining the University or the relationship arising, whichever is the latter.

##### Declarations should be made by completing the Personal Relationship Declaration Form at Appendix 1. This form should be completed even if the relationship was previously declared informally or via another method.

##### The declaration form should be submitted to Human Resources (HR), to the line manager(s) of the members of staff involved and, if a student is involved, to the student’s Head(s) of Department.

##### HR, in consultation with the line manager(s) and relevant Head(s) of Department, will review the declaration and determine what actions, if any, are required to address any potential conflict of interest or other concerns arising. The actions will be documented on the form and copies provided to the relevant parties.

##### When a relationship ceases to exist, or the circumstances materially change, the form should be updated accordingly.

##### As the declaration contains special category data it will be stored securely and managed in compliance with data protection legislation. Such declarations will be treated respectfully, sensitively and confidentially, and the wishes of both parties respected as far as is reasonably possible.

##### For more information on how the University manages personal data, please see the University’s data protection web page: <https://www.chi.ac.uk/about-us/policies-and-statements/data-protection> or contact the University’s Data Protection Officer on DPOfficer@chi.ac.uk.

##### Declarations will not be kept for longer than is necessary to support the management of any agreed actions. In normal circumstances they will be destroyed within one month of the ending of the relationship or, for example, if the people involved cease to be members of the University community.

##### Staff who are unsure whether they have a personal relationship with a student or staff member should seek advice from their line manager, Head or Director of Department/Institute or from HR.

##### Students who are unsure whether they have a personal relationship with a staff member should seek advice from their personal tutor, Head or Director of Department/Institute, or Student Support and Wellbeing.

#### Monitoring and Oversight

#####  This Policy is the responsibility of the Chief Human Resources Officer and the Director of Students, Support and Information Services. It has been agreed and approved by the Vice-Chancellor’s Group and by the Finance and Resources Committee of the University’s Board of Governors. It has been reviewed and updated by the University following the Office for Students’ [Statement of Expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education](https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/prevent-and-address-harassment-and-sexual-misconduct/statement-of-expectations/).

# **Appendix 1: Personal Relationships Declaration Form**

**SECTION A: DECLARATION**

This form should be completed in accordance with the Policy on Consensual Relationships. All parties to a relationship should complete their own copy of this declaration.

Students: Please complete this form and send it securely to your Head(s) of Department.

Staff: Please complete this form and send it securely to HR and your Line Manager.

|  |  |
| --- | --- |
| Your Details |  |
| Name: |  |
| Status: |  🞎 Staff Member 🞎 Student |
| Line Manager: |  |
| Student number: |  |
| Other party[’s/ies’] details (expand as necessary) |
| Name |  |
| Status: |  🞎 Staff Member 🞎 Student |
| Line Manager: |  |
| Student number: |  |
| Nature of Relationship (expand as necessary) |
| Date relationship started (approx.):  |  |
| Summary of relationship: |    |

**I understand that:**

1. it may be necessary for permanent or temporary adjustments to be made to any supervisory arrangements or other conditions, to remove any real or perceived conflict of interest arising from the relationship; and
2. this information will be stored securely and managed in compliance with the Policy on Consensual Relationships and applicable data protection legislation.

**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SECTION B: AGREED ACTIONS**

To be completed by HR in consultation with relevant Line Manager(s) and Head(s) of Department as applicable.

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| **Conflict of Interest Management Plan** (expand as necessary) |
| Reasons for recommended plan: |  |
| Details of recommended plan: |  |
| Any further action required:(e.g. to address concerns raised under this or other policies) |  |

**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Job Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**